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YOUNG OFFENDERS DATA

ONTARIO, ALBERTA, BRITISH COLUMBIA AND NOVA SCOTIA

BY

STATISTICS DIVISION

Ministry of the Solicitor General of Canada

Secretariat

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INTRODUCTION

In order to estimate cost increases due to a uniform juvenile age in Canada, projections must be made based on less than ideal statistics. Some of the problems with the juvenile court statistics include administrative decisions and procedures, changes in legislation over time and under-reporting or late returns.

Nonetheless, forecasts are required which are based on the current state of affairs, keeping in mind that the variables could change, shifting emphasis on the types of offences prosecuted, the ages of offenders concentrated on, and the types of dispositions arrived at. To base our expectations, forecasts and commitments on presently available data is unavoidable, but we should recognize that the size of error will be influenced by many factors beyond our control and subject to change.

We will initially consider four provinces for analysis... Nova Scotia, British Columbia, Ontario and Alberta. Each will be examined on its own.

Impressionistic rather than statistical comments are in order. The number of persons dealt with by the system largely determines the costs and should consequently be given more attention than the number of charges. Because our main areas of concern are the Federal Statute and Criminal Code offences, comments will be restricted to these offences, henceforth referred to as federal statute offences. References to tables refer to the print-outs in the ring binder.

ONTARIO SUMMARY

YEAR	CHARGES			PERSONS APPEARING	NATURE OF ADJUDICATION "FOUND DELINQUENT"	
	CRIMINAL CODE	OTHER FEDERAL STATUTE	TOTAL FEDERAL STATUTE		CHARGES	PERSONS*
1977	21,578	1,237	22,815	11,646	15,486	8,423
1978	20,125	1,438	21,563	11,016	15,455	8,629
1979	20,469	1,345	21,814	11,066	15,671	8,880
1980	20,597	1,324	21,921	11,222	14,896	8,516
1981	22,523	1,148	23,671	11,774	15,736	8,647

* Number of persons found delinquent is based on the nature of the most serious disposition, not necessarily a Federal Statute offence.

The age jurisdiction of the juvenile courts during the period 1977-1981 was 7 to 15 years inclusive.

Federal Statute Offences account for between 86.6% and 88.5% of total charges each year. There is very little change in the pattern of charges and findings of delinquency over the 5 years except for an increase of 9.4% in charges from 1980 to 1981.

Other Federal Statutes (Charges) (Table I-A-1)

These account for about 5% of total offences each year, and are subject to more fluctuation over the time under study. There was a slight increase in the number of other federal statutes (charges) in 1978 followed by gradual increases in subsequent years. Over the five years other federal statute offences ranged from a high of 1,438 in 1978 to a low of 1,148 in 1981 (a difference of 20%).

Persons

Only the most serious charge for which a juvenile received a court adjudication is used to arrive at the count to be included in the tables referring to persons. Each individual who appears in juvenile court and has at least one charge disposed of in the year specified is counted once. These figures reflect the number of different of juveniles who come to the attention of the court.

Criminal Code (Persons) (Table I-B-1)

Juveniles charged with criminal code offences make up between 78.0% and 82.1% of all juveniles whose charges were adjudicated each year. There was a very small upward trend from 1978 to 1981 (10,182 to 11,148, or +10.5%).

Other Federal Statutes (Persons) (Table I-B-1)

These persons constitute between 4.6% and 6.4% of juveniles whose charges are adjudicated each year. After a peak in 1979, there was a slight downward trend over the three years 1979-1981 (839 to 792 to 626 respectively) - an overall decrease of 25.4%.

Federal Statutes (Charges X Age) (Table II-A)

As one would expect, in all 5 years there is a steady increase in the number of charges as age increases. The "unknown age" category has been ignored in this analysis. The rate of charges of delinquency of 7-11 year old juveniles is generally around 2 per 1,000 juveniles in the population each year, as illustrated below:

FEDERAL STATUTE CHARGES, 1977-1981	
AGE	RANGE OF RATES
7-11	1.9 - 2.4
12	9.9 - 13.0
13	20.7 - 26.4
14	36.98 - 46.9
15	54.0 - 69.2

For every age group except 7-11 there is a relatively steady increase in the number of charges during the period 1978-1981, with a more noticeable increase in the rates occurring in 1981 for all age groups.

The number of charges per 1,000 juvenile population shows a small upward trend for the period under study, at a time when the number of juveniles in the population is decreasing. The rates increase most dramatically for the 14 and 15 year groups, especially from 1980 to 1981.

Federal Statutes (Persons X Age)* in Rates (Table II-B)

The number of delinquents per 1,000 juveniles is positively related to age, that is, in all years there is a steady increase in the number of delinquents with increasing age. There is no consistent trend with regard to the number of delinquents per age group during the period 1977 to 1981. In the older age groups 14 and 15, the rate of juveniles increases annually from 1978 even though their numbers in the population decrease. The persons data resemble the charges, but to a lesser extent.

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* The total number of persons excludes those whose age was unknown.

Federal Statutes (Charges X Nature of Adjudication) (Table IV-A-1)

The nature of adjudication can include a finding of delinquency or one of the following: not found delinquent, no definite finding, transfer to adult court, and other.

As the table shows, the number of charges resulting in a finding of "delinquent" has remained remarkably steady over the years. In terms of the percentage of charges resulting in an adjudication of "delinquent", they consitute 66.5% to 71.8% of adjudications of federal statute offences each year, with no apparent trend over time.

While the number of charges has increased from 22,815 in 1977 to 23,671 in 1981, an increase of 3.8%, the percentage change in the number of "found delinquent" adjudications increased by less than half that (1.6%). On the other hand, the number of charges resulting in an adjudication of not found delinquent has steadily increased over the years resulting in an increase of 24.6% from 1977 to 1981.

Adjudications (Persons) (Table IV-B-1)

While the above figures on charges show an increase in adjudications of "not found delinquent", the persons data do not

reflect the same pattern - the percentage of persons not found delinquent is stable over the years. The number of juveniles found delinquent is also quite stable over the years, as was the total number of juveniles appearing in court.

Dispositions (Persons) (Table IV-B-2)

When one person had more than one charge disposed of in one year, the only charge that is counted for that year is the one carrying the most serious sentence. The count of persons sentenced to juvenile institutions is therefore the most complete as this dispostion is the most serious. In each year, between 548 and 689 juveniles adjudged delinquent are sentenced to a juvenile institution, the 548 having been adjudicated in 1981. This disposition is used in an average of 7.4% of adjudications over the 5 years 1977-1981, ranging from 6.3% to 8.0% of total adjudications.

The number of persons sent to juvenile institutions was steady during the period 1977 to 1980; it then dropped from 682 to 548 or 19.6% in 1981. At the same time the number receiving fine/restitution increased by 4.9% over the previous year and there was an increase of 23.6% in persons having their case adjourned indefinitely.

ALBERTA SUMMARY

YEAR	CHARGES			PERSONS APPEARING	NATURE OF ADJUDICATION "FOUND DELINQUENT"	
	CRIMINAL CODE	OTHER FEDERAL STATUTE	TOTAL FEDERAL STATUTE		CHARGES	PERSONS*
1977	10,332	474	10,806	5,161	9,199	4,645
1978	9,959	378	10,337	4,945	8,726	4,452
1979	8,243	249	8,492	4,027	7,259	3,668
1980	7,456	262	7,718	3,535	6,652	3,233
1981	8,952	210	9,162	4,227	7,789	3,894

* Number of persons found delinquent is based on the nature of the most serious disposition, not necessarily a Federal Statute offence.

The age jurisdiction of the juvenile courts during the period 1977 to October 1978 was 7 to 17 years for females and 7 to 15 years for males. In October 1978 it changed to 7 to 15 years for both sexes.

The most distinguishing feature about the Alberta data is that it is not a smooth line in terms of charges, persons charged, or dispositions.

Total Offences (Charges) (Table I-A-1)

The number of all charges was at a high point in 1977, 13,598, then dropped steadily to 1980, and then rose in 1981 to 10,470, a point well below the 1977 high.

Criminal Code and Other Federal Statutes (Charges) (Table I-A-1)

Criminal Code charges mirror the total offences trend since they account for 80.8% of all charges over the 5 years.

Other federal statute charges declined relatively steadily from 1977 to 1981, from 474 to 210 (down 50.0%). They account for 2.8% of all charges over the 5 years.

Criminal Code and Other Federal Statutes (Persons) (Table I-B-1)

Based on the most serious charge only, the number of persons adjudicated on criminal code offences dropped steadily from 4,796 in 1977 to 3,349 in 1980, then rose suddenly to 4,079 in 1981 again, well below the 1977 high. The largest one year drop was from 4,680 in 1978 to 3,852 in 1979 (-17.7%). This was also the first full year when the age change for female juveniles was in effect, having been changed from under 18 years of age to under 16 year, corresponding with males. However, their number alone cannot account for such a drop.

Persons adjudicated for criminal code offences generally account for 77.4% of the total. The number of persons appearing for at least one "other federal statute offence" as their main offence, declined almost in a straight line from 365 in 1977 to 148 in 1981. These persons accounted for 4.3% of those appearing for all offences (based on single counts/major offence category).

Federal Statutes (Charges X Age) (7-15) (Table II-A)

Due to the change in age limits for females late in 1978, the 16 and 17 year age groups are excluded, for continuity, from the following comments. As expected, the number of charges increases steadily with increasing age, as do the rates. There is no consistent pattern either in the number of charges per age group over time, or in the rates. No definite trend is discernable for any age level. The same comments can be made for the numbers and rates of persons, except that in 1980 there is a low point in the numbers and rates for all age levels.

Federal Statutes (Charges X Nature of Adjudication) (Table IV-A-1)

The number of charges adjudicated decreased steadily from 10,806 in 1977 to 7,718 in 1980, and then increased by 18.7% in 1981. The slight accompanying population increase is insufficient to account for the increase in charges.

The proportion of charges resulting in a finding of "delinquent" remained relatively stable at around 85% and findings of "not found delinquent" remained relatively stable around 12% to 14% over the 5 years. All other adjudications formed a negligible proportion of the total.

Adjudications (Persons) (Table IV-B-1)

Although the number of persons found delinquent decreased from 4,645 in 1977 to 3,233 in 1980, then went up slightly to 3,894 in 1981, the percentage of persons adjudged delinquent increased steadily through the five years (90.0% to 92.1%). This is accompanied by a downward trend in the proportion of juveniles not found delinquent.

Dispositions (Persons) (Table IV-B-2)

As with charges, the data on persons in the "juvenile institution" category or "referred to province" category can not be interpreted without a knowledge of the administrative mechanisms or other factors which might have affected their pattern over time.

"Probation/supervision" and "fine/restitution" dispositions seemed to be decreasing in number over the first 4 years, but rose again in 1981. The proportion of probation/supervision cases rose in 1981. The data are not suggestive of any meaningful trends. In fact, all the Alberta data should be interpreted with caution, as there would appear to be several unknown factors at work.

BRITISH COLUMBIA SUMMARY

YEAR	CHARGES			PERSONS APPEARING	NATURE OF ADJUDICATION "FOUND DELINQUENT"	
	CRIMINAL CODE	OTHER FEDERAL STATUTE	TOTAL FEDERAL STATUTE		CHARGES	PERSONS*
1977	No data	No data	No data			
1978	No data	No data	No data			
1979	No data	No data	No data			
1980	10,557	860	11,417	No data	8,317	No data
1981	12,562	828	13,390	No data	9,143	No data

* Data on persons charged, appearing, or found delinquent in British Columbia were not provided for 1977 through 1981.

The age jurisdiction of the juveniles courts during the period 1977-1981 was 7 to 16 years inclusive.

The summary table (above) reveals that British Columbia did not supply data for 1977 to 1979. Consequently it is not possible to discuss any trends or make any confident forecasts from these data.

What follows is a statement of the changes observed in the available data over a one year period.

Criminal Code and Other Federal Statutes (Charges) (Table 1-A-1)

The number of Criminal Code charges rose from 10,557 in 1980 to 12,562 in 1981, an increase of 19%. There was a slight decrease in Other Federal Statute charges from 860 to 828.

Federal Statutes (Charges X Age) (Table II-A)

In British Columbia, juveniles included persons age 7 to 16. As expected, the number of charges increased as the age of the juveniles increased. The number of charges for each age group increased in 1981 from the comparable 1980 data. This, coupled with a decrease in the number of juveniles 14, 15 and 16 years old in the general population, resulted in large increases in the rates of juveniles charged (based on rate per 1,000 juveniles in the population). While the rate of 14 year old juveniles charged was 48 in 1980, in 1981 it was 67.3 (up 40.2%). Comparable data for age 15 shows an increase from 68.5 to a rate of 83.3 (up 21.6%).

Federal Statutes (Charges X Nature of Adjudication) (Table IV-A-1)

The number of charges rose from 11,417 in 1980 to 13,390 in 1981, an increase of 17.3%. Findings of delinquency were up 9.9% over one year. The proportion of charges resulting in a finding of delinquency fell slightly in 1981 (from 72.8% to 68.3%), while the

proportion of "no definite findings" increased from 20.1% to 26.4% of total adjudications in the year. The number of "no definite finding" adjudications also increased (from 2,297 to 3,541).

Federal Statutes (Dispositions of Charges) (Table IV-A-2)

Few charges resulted in a carceral disposition in either year; there were 338 in 1980 and 445 in 1981. Given the small numbers, the resulting percentage increase appears large; 31.7%. However, of far more significance are the great number of findings of delinquency which resulted in probation/supervision. In 1980, 6,542 charges met this conclusion: in 1981 there were 7,241, an increase of 699 charges, or 10.7%. Almost 500 findings of delinquency resulted in a fine each year, another 320 to 358 resulted in the final disposition being suspended.

NOVA SCOTIA SUMMARY

YEAR	CHARGES			PERSONS APPEARING	NATURE ADJUDICATION "FOUND DELINQUENT"	
	CRIMINAL CODE	OTHER FEDERAL STATUTE	TOTAL FEDERAL STATUTE		CHARGES	PERSONS*
1977	1,680	41	1,721	no data	1,541	no data
1978	1,687	64	17,51	1,062	1,553	962
1979	1,897	64	1,961	1,177	1,768	1,080
1980	1,731	62	1,793	1,083	1,578	967
1981	1,516	63	1,579	934	1,388	837

* Number of persons found delinquent is based on the nature of the most serious disposition, not necessarily a Federal Statute offence.

The age jurisdiction of juvenile courts in Nova Scotia during the period 1977 to 1981 inclusive was 7 to 15 years inclusive.

Criminal Code and Federal Statutes (Charges) (Table 1-A-1)

Criminal Code offences range from a low of 1,516 to a high of 1,897 in an erratic pattern over the five year period, and account for 78% to 84% of all offences in any one year.

Beginning in 1978, Other Federal Statute charges are very stable and account for 2% to 3% of all charges in any one year.

Criminal Code and Federal Statutes (Persons) (Table I-B-1)

There are no data on persons charged in 1977. The number of persons charged in 1978, 1979 and 1980 was relatively constant at around 1,000 and 1,100. In 1981, it fell to 883. There was no change in persons charged for other federal statute offences over the same time period - there were around 50 each year.

Federal Statutes (Charges X Age) (Table II-A)

The number of charges increases uniformly with increasing age for all years with the exception of the 7-11 and 12 year old age groups. There are no trends in the number of charges by age group over the years with the possible exception of the 13 year old age group. Beginning in 1979, the number of charges decreases each subsequent year for this age group, as does their number in the population.

No trend is apparent in the number of charges per 1,000 juveniles in the population - from year to year the rates within age groups fluctuate.

Federal Statutes (Persons Adjudicated X Age)* (Table II-B)

With the exception of the 7-11 and 12 year old age groups in 1979-1981, the number of persons adjudged delinquent rises steadily with increasing age.

There is no consistent pattern to the number of delinquents in each age group over the five year period, neither is there any consistent pattern to the rates of persons charged per age group over time.

Nature of Adjudication (Charges) (Table IV-A-1)

The total number of charges adjudicated rose from 1,721 to 1,961 in 1979, then declined to a low of 1,579 in 1981. Findings of delinquency were similarly erratic, rising to a high of 1,768 in 1979 and falling to 1,388 in 1981. Charges resulting in a finding of not found delinquent rose steadily from 115 in 1977 to 189 in 1980, then fell to 167 in 1981, but became an increasingly larger proportion of adjudications each year.

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* The total number of persons excludes those whose age was unknown.

Nature of Adjudication (Persons) (Table IV-B-1)

Data were not available for 1977. The number of persons adjudicated peaked at 1,177 in 1979, then fell to a low of 934 in 1981. The same pattern held for persons found delinquent and persons not found delinquent. In 1979, 1,080 persons were adjudged delinquent, accounting for 91.8% of adjudications. By 1981 the number had fallen to 837, and accounted for 89.6% of adjudications.

Dispositions (Persons) (Table IV-B-2)

Of roughly 1,000 persons found delinquent in any one year (1978-1981), 13% to 16% were sent to a juvenile institution. There was a decrease in the use of probation/supervision and an increase in the use of fine/restitution over the four years. In 1978 probation/supervision accounted for 59.1% of dispositions, but by 1981 it had fallen to 53.3%. At the same time fine/restitution was 8.9% of dispositions in 1978 and rose to 13.5% in 1981.